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General Assembly
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International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Security Council
Sixty-fifth year

Identical letters dated 23 November 2010 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council

I have the honour to transmit to you the attached letter dated 12 November 2010 that I have received from Judge Dennis Byron, President of the International Criminal Tribunal for Rwanda (see annex).

In his letter, President Byron requests that Judge Joseph Masanche be authorized to complete the *Hategekimana* case notwithstanding that his term of office will expire on 31 December 2010. The case was expected to finish by the end of 2010, but it might continue into 2011 because the delivery of the judgement has been delayed.

It falls to the General Assembly and the Security Council to consider and decide on this request. Accordingly, I would be grateful if you would bring the letter from President Byron to the attention of the members of the General Assembly and the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

Letter dated 12 November 2010 from the President of the International Criminal Tribunal for Rwanda addressed to the Secretary-General

I am writing to you concerning the need for an additional exceptional authorization by the Security Council to allow a judge of the Tribunal to complete his last assignment after the end of his term of office.

I submitted, on 20 September 2010, a request for permanent Judge Joseph Asoka de Silva, and ad litem Judge Taghrid Hikmet, for such an exception because their terms of office are due to end on 31 December 2010.

The situation is the same for ad litem Judge Joseph Masanche. Judge Masanche's last assignment is the *Hategekimana* trial, where the judgement delivery is slightly delayed. While it is still possible that the judgement will be delivered before the end of 2010, a spillover into early 2011 cannot be excluded.

In order to avoid a last-minute request, I, therefore, request that the Security Council include the name of Judge Masanche in its resolution, in order to provide the exceptional authorization for him, as well as for Judges de Silva and Hikmet, to complete their remaining assignments.

As I set out in my previous letter, similar situations have been addressed by the Security Council in resolutions 1241 (1999), 1482 (2003) and, most recently, 1901 (2009).

I would be grateful if you could bring this matter to the attention of the Security Council.

(*Signed*) Dennis **Byron**
President